

# Oregon

Kate Brown, Governor

Department of Environmental Quality  
Agency Headquarters  
700 NE Multnomah Street, Suite 600  
Portland, OR 97232  
(503) 229-5696  
FAX (503) 229-6124  
TTY 711

December 6, 2019

Colonel Aaron L. Dorf  
District Commander, Corps of Engineers  
P.O. Box 2946  
Portland, Oregon 97208-2946

Subject: US Army Corps' Termination of 1997 Letter Agreement

Dear Col. Dorf,

We received your letter, dated September 18, 2019, notifying DEQ that the U.S. Army Corps of Engineers (Corps) is terminating the 1997 Letter Agreement between our agencies. The agreement includes obligations to reimburse DEQ oversight costs for the Bradford Island facility. Contamination at the Bradford Island facility poses significant risk to the people and environment of the State of Oregon. The facility has documented, among other things, some of the highest levels of PCB contamination in fish in the state. Accordingly, timely and effective remediation is a high priority for DEQ.

DEQ and the Corps, along with other partners, have worked cooperatively for many years to address the pressing contamination issues at the Bradford Island facility. Though progress toward completion of remediation has been slow, we have appreciated the Corps' commitment to work cooperatively with DEQ toward remediation. The agreement to fund DEQ oversight costs was a fundamental part of the cooperative relationship between DEQ and the Corps. From DEQ's perspective, the Corps' unilateral termination of that agreement calls into question the Corps' commitment to an effective and timely cleanup, and has the potential to detract from the cooperative relations that have characterized our working relationship.

DEQ's cleanup program under ORS chapter 465, is a "polluter pays" (aka, cost-recovery) program. DEQ receives minimal funding from the state general fund for its cleanup program activities. The vast majority of the general fund financial support DEQ does receive goes to the remediation of so called "orphan sites," where there is no viable responsible party to pay for the cleanup. As the Corp is clearly a responsible party liable for cleanup at the Bradford Island facility, the site is ineligible to receive orphan funding. Rather, state and federal law require that responsible parties, like the Corps in this instance, pay DEQ's reasonable remediation costs.

DEQ's activities overseeing Corps cleanup of the site are remedial action costs that DEQ is entitled to recover under state and federal law. As is the case with any other responsible party, if DEQ cannot obtain voluntary reimbursement of its remedial action costs, DEQ is required by law to seek recovery of those costs through other means, including litigation.

Colonel Aaron L. Dorf

December 6, 2019

Page 2

DEQ has an obligation to ensure the site is appropriately remediated, human health and the environment are protected, and consistent with state and federal standards. DEQ agrees the best path forward includes the continued collaboration, work and support described in the attached letter. The necessary resources for these actions by DEQ are cost recoverable under ORS 465 and federal law.

DEQ remains open to further discussion you may wish to have regarding options for cost recovery for work on this site. Please feel free to contact me, or your staff may contact Paul Seidel at 503-229-5614 or [seidel.paul@deq.state.or.us](mailto:seidel.paul@deq.state.or.us).

Sincerely,

A handwritten signature in black ink, appearing to read 'R Whitman', with a long horizontal stroke extending to the right.

Richard Whitman  
Director

Cc: Leah Feldon  
Paul Seidel  
Gary Vrooman  
Lydia Emer

Enc: USACE Sept. 18, 2019 letter to Director Whitman



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, PORTLAND DISTRICT  
PO BOX 2946  
PORTLAND, OR 97208-2946

RECEIVED

SEP 24 2019

SEP 18 2019

Oregon DEQ  
Office of the Director

SUBJECT: Termination of ODEQ Voluntary Cleanup Program Letter Agreement,  
dated November 6, 1997

Richard Whitman  
Director  
Oregon Department of Environmental Quality  
700 NE Multnomah Street, Suite 600  
Portland, Oregon 97232-4100

Dear Mr. Whitman:

Since at least 1997 the U.S. Army Corps of Engineers, Portland District (Corps) and the Oregon Department of Environmental Quality (ODEQ) have been working together to address historic releases of hazardous substances at Bradford Island, part of the Corps' Bonneville Lock and Dam Project. As part of these efforts, the Corps entered into a Voluntary Cleanup Program Letter Agreement dated November 6, 1997 (Letter Agreement) to enable the ODEQ to provide significant oversight in addressing these releases.

Since that time the Corps has taken on a greater role reviewing and overseeing its cleanup activities under Executive Order (E.O.) 12580, Superfund Implementation. To better reflect the Corps' greater role, the Corps is providing fifteen (15) days' notice of its intent to terminate the Letter Agreement. The termination clause on page 2 of the enclosed Letter Agreement provides that either ODEQ or the Corps may terminate by giving 15 days advance written notice to the other party. We anticipate that termination will be effective 15 days from ODEQ's receipt of this notice.

Going forward, the relationship between the Corps and the ODEQ will remain unchanged. The Corps will continue coordinating with the ODEQ at the Technical Advisory Group (TAG) level and at the Managers' Meetings. The Corps appreciates the partnership and support that ODEQ has provided thus far in addressing the historic releases at Bradford Island.

Should you have any questions, my point of contact for this action is Chris Budai, Project Manager, who can be reached by telephone at 503-808-4725 or by email at [christine.m.budai@usace.army.mil](mailto:christine.m.budai@usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Dorf', written over a horizontal line.

Aaron L. Dorf  
Colonel, Corps of Engineers  
District Commander

Enclosure

# Oregon

November 6, 1997

Deborah Chenoweth  
US Army Corps of Engineers  
Bonneville, Lock and Dam  
Cascade Locks, OR 97014

DEPARTMENT OF  
ENVIRONMENTAL  
QUALITY

Re: Voluntary Cleanup Agreement,

NORTHWEST REGION

Dear Ms. Chenoweth:

Enclosed are two copies of the Voluntary Cleanup Letter Agreement we have prepared to cover our review of investigation and/or cleanup activities performed for the former Bradford Island landfill, and any additional investigation/cleanup activities that may need to be performed.

The Oregon Department of Environmental Quality will review any existing file information and supplied investigation reports, conduct a site visit, and prepare a File Review Memo summarizing site information. The File Review Memo will include our conclusions regarding whether additional investigation and/or cleanup is required.

Please sign both copies of the Letter Agreement and return one copy to the Department of Environmental Quality.

Please contact me directly at (503) 229-5538 if you have any questions.

Sincerely,



Matt McClincy  
Voluntary Cleanup and Site Assessment Section  
Northwest Region

Enclosure

cc: Michael E. Rosen, DEQ/NWR  
Norm King, DEQ/WM&C

John A. Kitzhaber  
Governor



2020 SW Fourth Avenue  
Suite 400  
Portland, OR 97201-4987  
(503) 229-5263 Voice  
TTY (503) 229-5471  
DEQ-1

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DEPARTMENT OF  
ENVIRONMENTAL  
QUALITY

NORTHWEST REGION

November 6, 1997

Deborah Chenoweth  
US Army Corps of Engineers  
Bonneville Lock and Dam  
Cascade Locks, OR 97014

SUBJECT: Voluntary Cleanup Agreement

Dear Ms. Chenoweth

This letter responds to your request to investigate and/or clean up contaminated property under the review and oversight of the Oregon Department of Environmental Quality (DEQ) Voluntary Cleanup Program. This letter also serves as an agreement between DEQ and the US Army Corps of Engineers regarding DEQ review and oversight of the investigation and/or cleanup of hazardous substances at your property located at the former Bradford Island landfill at Bonneville Lock and Dam. As part of DEQ's assessment of the investigation and/or cleanup required at the site, DEQ will determine if a more formal Agreement outlining site specific findings and including a scope of work detailing specific deliverables and time frames is warranted.

DEQ agrees to review environmental documents submitted by you or on your behalf regarding the investigation and/or cleanup of the above referenced site. Additional DEQ oversight details will be established upon review of the initial site data.

DEQ requires that persons seeking DEQ review and oversight of investigation and cleanup activities provide a minimum deposit of \$5,000.00 as an advance against costs which DEQ will incur. The advance deposit must be in the form of a check payable to DEQ. When you have signed this letter to formalize your request, and your deposit has been received by DEQ, a sub-account of the Hazardous Substances Remedial Action Fund will be established to be drawn upon by DEQ as project costs are incurred from 11/5/97.

John A. Kilgaber  
Governor



DEQ project costs will include direct costs and indirect costs. Direct costs include site-specific expenses and legal costs. Indirect costs are those general management and support costs of the DEQ.

2020 SW Fourth Avenue  
Suite 400  
Portland, OR 97201-4987  
(503) 229-5263 Voice  
TTY (503) 229-5471  
DEQ-1

US Army Corps of Engineers Letter Agreement  
Page 2

DEQ project costs will include direct costs and indirect costs. Direct costs include site-specific expenses and legal costs. Indirect costs are those general management and support costs of the DEQ and of the Waste Management and Cleanup Division (WMCD). Indirect costs are those allocable to DEQ oversight of this Letter Agreement which are not charged as direct, site-specific costs. Indirect charges are based on actual costs and are applied as a percentage of direct personal services costs. Review and oversight costs shall not include any unreasonable costs or costs not otherwise recoverable by DEQ under ORS 465.255.

DEQ will provide you with a monthly statement, a sample of which is attached. In the event project costs exceed the sub-account balance, DEQ will submit to you an invoice for any costs in excess of the advance. In the event project costs do not exceed the sub-account balance, DEQ will refund within 60 days of the close of the project any amount of the deposit remaining in excess of the actual costs, or will apply the remaining amount toward oversight of an administrative agreement if an agreement for further action is necessary.

Either DEQ or the US Army Corps of Engineers may terminate this Letter Agreement by giving 15 days advance written notice to the other. Only those costs incurred or obligated by DEQ prior to the effective date of any termination of this Letter Agreement shall be recoverable under this Agreement. Termination of this Letter Agreement will not affect any other right DEQ may have for recovery of costs under any applicable law.

The US Army Corps of Engineers shall hold DEQ harmless and indemnify DEQ for any claims (including but not limited to claims of property damage or personal injury) arising from activities of the US Army Corps of Engineers reviewed or overseen under this Letter Agreement.

This Letter Agreement is not and shall not be construed as an admission by the US Army Corps of Engineers of any liability under ORS 465.255 or any other law or as a waiver of any defense to such liability. This Letter Agreement is not and shall not be construed as a waiver, release or settlement of claims DEQ may have against the US Army Corps of Engineers or any other person or as a waiver of any enforcement authority DEQ may have with respect to the US Army Corps of Engineers or the property. Upon DEQ's request and as necessary to oversight of your work under this Letter Agreement, the US Army Corps of Engineers shall provide DEQ with data and records related to investigation and cleanup activities at the property, excluding any privileged documents identified as such by you.

US Army Corps of Engineers Letter Agreement  
Page 3

Matt McClincy is the DEQ Project Manager for the review and oversight of the investigation and cleanup activities associated with your property. Please refer all inquiries to Matt at (503) 229-5538.

DEQ appreciates your interest in the Voluntary Cleanup Program and looks forward to working with you.

Sincerely,



Tom Bispham  
Administrator  
Northwest Region

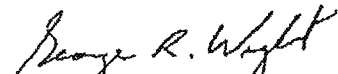
If the terms of this Letter Agreement are acceptable to the US Army Corps of Engineers, please have it executed by an authorized representative in the space provided below and returned to us.

Accepted and agreed to this 18th day of February, 1998

By:   
COL ROBERT T. SLUSAR

Title: \_\_\_\_\_  
DISTRICT COMMANDER

Attachment

  
George R. Wight  
Contracting Officer





State of Oregon  
Department of Environmental Quality

Project Expenditures Line Descriptions:

- Personal Services:** Compensation paid to DEQ employees for work performed directly on this project. Includes items such as salaries and wages, employee fringe benefits, and employer payroll taxes.
- Attorney General:** Payments made to Dept. of Justice for services rendered specific to this project.
- Travel:** Payments made to DEQ employees for costs of official business travel specifically related to this project. Payments are made in accordance with State travel rules and include items such as motor pool car usage, other transportation costs, meals, and lodging.
- Utilities & Supplies:** Payments made for miscellaneous services and supplies directly related to this project. Includes such items as utilities, film processing, and public notices.
- Contract Payments:** Payments made to contractors for work performed on this project.
- Capital Outlay:** Payments made for project specific equipment that costs more than \$5,000, can be used more than once, and has a useful life of more than two years.
- Agency Indirect Cost:** Costs of Agency central services including operations of accounting, computer support systems, budget, human resources and the Agency Director's office. The rate is reviewed and approved annually by the federal government and is applied to the personal services costs charged directly to each environmental investigation or cleanup project.
- WMCD Indirect Cost:** Costs incurred by the Waste Management and Cleanup Division (WMCD) staff in support of site cleanup. Activities such as clerical, technical guidance or policy development, records management, and Division management that are attributable to project work, but are not site-specific, are charged as WMCD indirect. The rate is calculated annually and applied to direct personal services costs.
- Cleanup Rule Rewrite:** A charge assessed as a result of a requirement arising out of the '95-'97 State Legislature to rewrite the Cleanup rules. The rate is 12% of direct personal service costs.

For billing questions, call (503) 229-5812  
TTY: (503) 229-6393

Enter change of address below:

\_\_\_\_\_  
(Organization Name)

\_\_\_\_\_  
(Contact Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State, Zip)



## Department of Environmental Quality

## INVOICE

Site Name: XYZ Corporation  
Project Number: 99999999  
Authorization:

Invoice Number: HSRAF97-0000  
Invoice Date: 1/27/1997

XYZ Corporation  
1234 S.W. First Avenue  
Portland, OR 97301

Payment Due: 2/26/1997

## Project Expenditures

Billing Period  
12/96

Personal Services	\$	0.00
Attorney General		0.00
Travel		0.00
Services and Supplies		0.00
Contract Payments		0.00
Capital Outlay		0.00
Agency Indirect Cost		0.00
WMCD Indirect Cost		0.00
Cleanup Law Rewrite		0.00

Total Current Charges: \$ 0.00

Previous Balance	Billing Period Expenditures	Interest	Total Balance Due
0.00	0.00	0.00	0.00

Cut here and return this portion with payment

Remit and make checks payable to:

Dept. of Environmental Quality  
Attn.: Business Office  
811 SW Sixth Avenue  
Portland, OR 97204-1390

Site Name: XYZ Corporation  
Project No.: 99999999

Invoice Number: HSRAF97-0000  
Amount Enclosed:



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, PORTLAND DISTRICT  
PO BOX 2946  
PORTLAND, OR 97208-2946

DEC 05 2019

SUBJECT: U.S. Army Corps of Engineers Response to National Priority List Request  
Letter to U.S. Environmental Protection Agency

Chris Hladick  
Regional Administrator  
U.S. EPA  
1200 Sixth Avenue, Mailcode 21-B03  
Seattle, Washington 98101

Dear Administrator Hladick:

Thank you for reaching out to the U.S. Army Corps of Engineers, Portland District (USACE) for a response to the National Priority List request letter that you received from the Yakama Nation Department of Natural Resources (Yakama Nation), Washington Department of Ecology (WDOE), and Oregon Department of Environmental Quality (ODEQ) dated 10 October 2019.

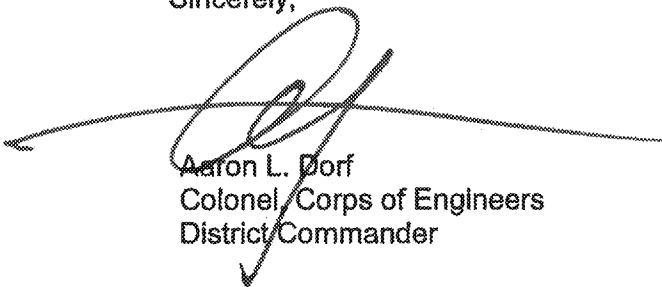
As discussed, please find an enclosure which chronicles USACE's cleanup progress, describes USACE's effort to address source control before engaging in further removal actions, highlights USACE's careful consideration of technical advisory group member recommendations, and addresses factual inaccuracies relating to tribal fisher access and use, among others, in the National Priority List request letter. Additional information about USACE's cleanup of Bradford Island may be found at: <https://www.nwp.usace.army.mil/bonneville/bradford-island/>.

USACE takes seriously our responsibility to clean up Bradford Island and we remain committed to accomplishing that goal under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and National Contingency Plan. We also remain committed to working with the ODEQ, WDOE, Yakama Nation, and other agencies and Tribes through the technical advisory group and Managers' meetings. Public engagement and outreach are also key components of the CERCLA process and USACE has and will continue to keep the public informed throughout the process. Funding for this project is an equal combination of federal appropriations and Bonneville Power Administration funding. USACE will continue to advocate for funding of this important project and be prepared to execute work as funding becomes available.

The USACE Project Manager for Bradford Island is Chris Budai. If you have any questions or need additional information, Ms. Budai can be reached by at

christine.m.budai@usace.army.mil or (503) 808-4725. Legal inquiries may be directed to Jeffrey Matson, Portland District Office of Counsel at jeffrey.t.matson@usace.army.mil or (503) 808-4522. USACE looks forward to working with your office on the cleanup of Bradford Island.

Sincerely,



Aaron L. Dorf  
Colonel, Corps of Engineers  
District Commander

Enclosure

## Response to NPL Petition for Bradford Island

### Prepared by USACE Technical Experts

#### Site Contaminants

- *USACE past practices have resulted in releases of hazardous substances into the soil, groundwater, and surface water in the Columbia River. Contaminants of Concern ("COCs") include petroleum hydrocarbons, polycyclic aromatic hydrocarbons ("PAHs"), metals (e.g., lead and mercury), polychlorinated biphenyls ("PCBs"), pesticides/herbicides, and volatile organic compounds ("VOCs").*

Although historical releases of hazardous substances have occurred at Bradford Island, this statement is overbroad. USACE has not identified petroleum hydrocarbons (which are not regulated under CERCLA) or VOCs (regulated under CERCLA, but exist below risk thresholds) as human health contaminants of concern (COCs) or contaminants of ecological concern (CECs). The COCs and CECs which USACE is addressing include:

- Upland OU
  - Landfill
    - COCs: cPAHs, arsenic, and PCBs
    - CECs: mercury, nickel, chromium, copper, lead, chlordane, and HPAHs
  - Sandblast Area
    - COCs: cPAHs, arsenic, and PCBs
    - CECs: antimony, nickel, chromium, lead, chlordane, and HPAHs
  - Pistol Range
    - COCs: *none*
    - CECs: lead
  - Bulb Slope:
    - COCs: *none*
    - CECs: *none*
- River OU
  - COCs: PCBs, chlordane, and dieldrin
  - CECs: PCBs, HPAHs, and organochlorine pesticides.

#### Impacts on the Surrounding Environment

- *Full nature and extent of in-river contamination is undefined.*

The nature and extent of in-river contamination is not yet fully defined because USACE, in consideration of technical advisory group (TAG) member recommendations, has also been addressing source control. In 2018, USACE withdrew a draft feasibility study (FS) for the River Operable Unit (OU), understanding that sources may not be fully understood and that the complex river bottom may affect screened alternatives. With TAG input, USACE additionally performed a pilot study with passive samplers to continue identifying source areas. In 2019, USACE has been coordinating with the TAG to implement a more comprehensive passive sampler investigation to identify source areas. USACE awarded this contract and work has begun, with technical experts from Texas Tech University assisting in the design and implementation of the study, as well as analyzing and interpreting the results. USACE is also tracking the need for additional studies, including the collection of fish and invertebrate tissues and sediment, which are in the early planning stages.

Notably, TAG members requested that USACE conduct the passive sampler prior to carrying out additional fish or invertebrate tissue sampling.

- *Resident fish such as smallmouth bass caught near Bradford Island contain extremely high concentrations of PCBs, as well as other COCs.*

USACE understands that the NPL letter authors are referring to the results of fish tissue samples collected in 2006, 2008, and 2011. The samples collected in 2011, which showed elevated concentrations of CECs, were collected after the 2007 in-water removal action which involved removing 65 tons of sediment (from a 0.83-acre area along the shoreline of Bradford Island) and suctioning 2.2 million gallons of water and sediment (from the river bottom). USACE understands that elevated concentrations of CECs soon after a removal action of this magnitude are not uncommon. Rather than carry out additional remedial actions, USACE has considered and agreed to TAG member recommendations to *delay* additional fish tissue sampling (which would determine if elevated concentrations are still present). As such, USACE is currently focusing on better understanding potential sources of contamination.

- *Sediment and clam concentrations have not declined despite multiple removal actions*

Please see response above. As with fish tissue concentrations, USACE understands that elevated sediment and clam tissue concentrations may persist for an indeterminate amount of time following a significant removal action. Although USACE had developed remedial alternatives to address CEC concentrations in in-water organisms, USACE has considered and agreed to TAG member recommendations to *delay* additional sediment and tissue sampling. As such, USACE is currently focusing on better understanding source control.

- *Impacted surface soils in certain parts of the facility such as the Sandblast and Bulb Slope Areas remain uncontained (e.g., sandblast grit triggering RCRA hazardous waste criteria).*

As to the Sandblast Area, USACE is addressing contaminated soils but has paused implementation of removal actions to address TAG member cultural resource concerns. USACE is in the process of carrying out a geophysical survey in support of archeological consultations of the Sandblast Area. USACE is also carrying out a comprehensive stormwater sampling program to determine how contaminated soils might impact the River OU.

While the stormwater sampling program is approximately 75% complete, USACE identified, and is in the process of implementing, an interim best management practice (BMP)—placement of straw wattles, to control contamination. After considering U.S. Army Biological Technical Assistance Group guidance for ecological risk assessment, USACE recently determined to proceed with CERCLA cleanup of the Sandblast Area to address unacceptable ecological risk. Pending funding, USACE will revise the feasibility study and proposed plan for the upland, Sandblast Area to accommodate this cleanup.

Although particular sandblast grit might constitute a Resource Conservation and Recovery Act (RCRA) regulated hazardous waste, CERCLA hazardous substances encompass RCRA hazardous wastes, as well as other toxic pollutants regulated by federal environmental laws. And, a cleanup conducted solely under CERCLA will substantively satisfy the requirements of both statutes. Because USACE is currently leading a CERCLA cleanup, it will not be carrying out a RCRA corrective action. That said, once USACE begins implementing a remedial action and transporting RCRA hazardous wastes offsite, it will comply with all applicable RCRA transportation, treatment, storage, and disposal facility requirements.

As to the Bulb Slope, although there are no COCs or CECs identified in this area, USACE understands that failure of the slope could lead to contaminated soil/material entering the River OU. Thus, USACE is conducting an investigation to determine the best way to stabilize the slope to prevent slope failure. USACE preference is to cut back the slope, which would incidentally remove the contaminated soil/materials. However, cutting back the slope would jeopardize the stability of the landfill access road, which is necessary to perform remedial actions in the Landfill. Currently, USACE is studying if it is feasible to move the road to allow for the cutback.

- *Stormwater discharge from contaminated areas of Bradford Island have not been regulated or monitored pursuant to a permit issued under the NPDES. Recent stormwater and catch basin solids sampling indicate that stormwater continues to be an ongoing source of contamination to the river.*

USACE has not applied for an NPDES permit for the two stormwater outfalls discharging along the northern shoreline of Bradford Island because Clean Water Act Section (CWA) Section 402 and 40 C.F.R. Part 122 requirements do not apply to Hydroelectric Generation, Recreation, and Flood Control Projects. These types of USACE Civil Works projects do not have SIC codes that require NPDES permit coverage, and USACE is unaware of any information indicating that these outfalls are a discharge that is otherwise contributing to a violation of applicable state water quality standards necessitating a permit.

Regardless, since spring 2018 USACE has taken proactive measures to sample catch basin solids and stormwater. In spring 2019 USACE also performed line clearing. USACE continues to carry out stormwater sampling this fall and winter and will inform TAG members whether additional actions are necessary to ensure that stormwater will not impact future remedial action in the River OU.

In the absence of applicable NPDES permit terms or conditions, USACE proactively established project-specific benchmark criteria to aid in data interpretation. During the first comprehensive stormwater sampling effort conducted in June 2019, copper and PAHs were the only analytes detected above project-specific criteria. USACE understands that TAG members have concerns as to these project-specific criteria. USACE has carefully considered TAG members' concerns and explained the basis for selecting the specific criteria.

#### **Response Activities**

- *Inadequate risk assessments that do not consider long term tribal residential uses or high fish consumption rates*

USACE has already updated all risk assessments with tribal exposures to include the higher fish consumption rates requested by the Yakama Nation.

The Yakama Nation desires the use of a 24-hour residential exposure scenario as a reasonable maximum exposure (RME). However, the areas of concern are within the Bonneville Dam operating project and for safety and security concerns the *residential* exposure is not a reasonable future use. USACE has provided for 12-hour exposure for tribal scenarios in its risk assessment (and 4-hour exposure for those industrial areas that tribal members might transit to access traditional fishing areas).

- *Failure to use or recognize state regulatory cleanup standards as applicable, relevant, and appropriate requirements ("ARARs")*

USACE carefully evaluated which requirements might constitute an ARAR for Bradford Island. The requirement which the Oregon Department of Environmental Quality (DEQ) and Yakama Nation desire to be treated as an ARAR is Oregon Administrative Rule (OAR) 340-122-0084, governing risk assessments. This DEQ rule defines the risk threshold for carcinogenic human health risk. While this risk threshold is promulgated, it is not considered an ARAR under CERCLA. The risk threshold of  $1 \times 10^{-6}$  is not considered a cleanup standard (or level at which USACE would take action), nor does it specifically address a particular contaminant, action, or location. This state risk threshold also likely stands as an obstacle to the accomplishment and execution of the full purposes of CERCLA as implemented through the National Contingency Plan (NCP) given the NCP's inclusion of a different risk management range of  $1 \times 10^{-4}$  to  $1 \times 10^{-6}$ . As a federal agency exercising delegated authority to lead cleanup under E.O. 12,580, USACE must follow the range provided in the NCP.

- *Inadequate communication with the participating TAG members*

USACE has involved TAG members in review of all technical products produced. Throughout the process, USACE has made continual efforts to consider actions based on TAG member communication, feedback, and comment. Regular TAG meetings (generally monthly unless otherwise agreed to by the TAG) occur at a generally agreed upon time. TAG member contact lists are kept up to date to the degree possible

- *Failure to incorporate some TAG technical comments into the RI/FS documents.*

During Remedial Investigation and Feasibility Study production, TAG members were given the opportunity to review and comment in advance of the Public Review process. USACE considered all comments and incorporated them to the degree they did not conflict with relevant federal law or policy.

- *Data collected in 2011 indicate that PCB levels in fish tissue, including sculpin and smallmouth bass, remain significantly elevated, and in some samples exceeded levels observed prior to the 2007 removal action and the previous HRS ranking.*

See USACE responses above.

Regarding sculpin, these fish were only collected in 2008, immediately following the significant removal action. At that time, 2 of 17 fish had concentrations that were detected above the reference (at 1700 and 400 ppb). USACE suspects that sculpin collected in 2008 from the project area were exposed to contaminated sediments suspended during dredging. Again, it is not uncommon to see an increase in tissue concentrations immediately following dredging.

Regarding bass, these fish were collected in 2006, prior to the removal action, and in 2011, four years following the removal action. Bass with PCB concentrations above the reference were observed in 2006 (7 fish of 26 sampled) and 2011 (4 fish of 19). The spatial distribution of total PCB concentrations in bass was highly variable. Some of the bass with the highest concentrations were caught *adjacent to bass with the lowest concentrations*. Based on life span, bass sampled in 2011 were potentially exposed to the dredging action. USACE has proposed additional sampling for 2019 and has allocated budget for contracting such work, however, as referenced above, TAG members have requested USACE to conduct passive sampling prior to additional fish tissue sampling.



*Oregon Health Authority and the Washington Department of Health issued fish consumption advisories for resident fish species in the Columbia River above Bonneville Dam due to elevated levels of mercury and PCBs.*

There is systemic contamination in the lower to mid-Columbia River. And there are two current fish consumption advisories near Bonneville Dam—one that is specific to the Bradford Island site and another which stretches 150 miles from Ruckel Creek, upstream of Bradford Island, to McNary Dam.

As to the Bradford Island advisory, it states:

Due to high levels of PCBs, we recommend that no one eat resident fish from the Bonneville Dam at Bradford Island to Ruckel Creek (one mile upstream). Resident fish stay within a defined area on the river and do not migrate out to the ocean.

As to the Middle Columbia River advisory, it states:

Due to moderate levels of mercury and PCBs, we recommend limiting the amount of resident fish species consumed from the middle Columbia River (Ruckel Creek, 150 miles upstream to McNary Dam). Resident fish stay within a defined area on the river and do not migrate out to the ocean.

USACE is in the process of erecting additional signage and posting notices of these advisories to protect human health and potential exposure over those lands and waters managed by USACE.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101-3188

NOV 07 2019

OFFICE OF THE REGIONAL  
ADMINISTRATOR

Mr. Phil Rigdon  
Superintendent, Department of Natural Resources  
Yakama Nation  
P.O. Box 151  
Toppenish, Washington 98948

Mr. Richard Whitman  
Director, Oregon Department of Environmental Quality  
700 Northeast Multnomah Street, Suite 600  
Portland, Oregon 97232-4100

Ms. Maia Bellon  
Director, Washington Department of Ecology  
300 Desmond Drive Southeast  
P.O. Box 47600  
Olympia, Washington 98504-7600

Dear Superintendent Rigdon; Director Whitman; and Director Bellon;

Thank you for your October 10, 2019, letter requesting proposal of the Bradford Island facility, Multnomah County, Oregon, to the U.S. Environmental Protection Agency's National Priorities List. The EPA appreciates your concerns about the risks posed by the Site to human health and the environment. We support efforts to continue the remedial cleanup process initiated by the U.S. Army Corps of Engineers under the oversight of the Oregon Department of Environmental Quality and with the active participation of the Confederated Tribes and Bands of the Yakama Nation and the Washington Department of Ecology through the Bradford Island Technical Advisory Group.

The EPA has been involved with the Site over the last two decades and in recent years has participated in regular management level meetings with the Corps, Yakama Nation, ODEQ, and Ecology to keep apprised of Site progress. As you correctly noted, in 2008 the EPA evaluated the Site using the Hazard Ranking System based on the available information at the time. In August 2017, the EPA revised the HRS evaluation based largely on data from the Remedial Investigation, including biota sampling results, and determined that the Site does indeed pass the threshold for NPL listing consideration.

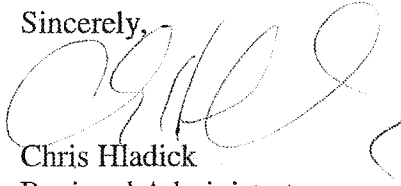
Adding a site to the NPL is a multi-step process involving progressive levels of review and approval both at the regional and national levels within the EPA, as well as the federal rulemaking processes for both proposed and final NPL sites. The most important initial internal step in this process is to convene a Remedial Decision Team meeting within Region 10 drawing on staff and management expertise to discuss the details of the Site and decide next actions to undertake. The EPA anticipates that the RDT meeting will take place by mid-January 2020. Your October 10<sup>th</sup> letter will be shared with the RDT. The EPA will also be reaching out to the Corps to obtain more detailed information regarding their perspectives on issues outlined in your request as well as funding priorities for the Site.

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Oregon DEQ  
Office of the Director

If Region 10 makes the determination to recommend the Site for proposed listing to the EPA Headquarters, the Region will prepare a detailed internal package in support of the HRS evaluation which will serve as the basis for proposing the Site in an NPL rulemaking in 2020. A proposed NPL rule will initiate a formal public comment period, and EPA will respond to all substantive comments before making the final determination to add a site to the NPL in a subsequent rulemaking action. For more details about the Superfund National Priorities List and process, please refer to our website at <https://www.epa.gov/superfund/superfund-national-priorities-list-npl>.

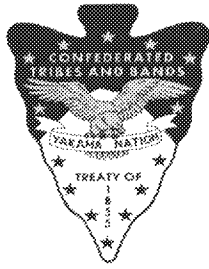
If you have any further questions as the NPL proposed listing process moves forward, please contact David Allnutt, the Acting Director of our Superfund and Emergency Management Division at (206) 553-2581, Wally Moon, Spill Prevention and Removal Section Chief at (206) 553-6323 or Ken Marcy, NPL Coordinator at (503) 326-3269 to discuss any aspects of the NPL proposal process.

Sincerely,



Chris Hladick  
Regional Administrator

cc: Ms. Rose Longoria, Yakama Nation  
Mr. Tom Zeilman, Yakama Nation  
Ms. Rebecca Lawson, WA DOE  
Mr. John Level, WA AGO  
Ms. Leah Feldon, ODEQ  
Mr. Gary Vrooman, ODOJ  
Col. Aaron L. Dorf, USACE  
Mr. Jeffrey Matson, USACE



October 10, 2019

Chris Hladick  
Regional Administrator  
U.S. Environmental Protection Agency  
1200 6<sup>th</sup> Avenue, Mailcode 21-B03  
Seattle, WA 98101

**RE: National Priorities List Nomination and Requested Rulemaking –  
Bradford Island Facility**

Dear Administrator Hladick,

The Confederated Tribes and Bands of the Yakama Nation (“Yakama”), the Oregon Department of Environmental Quality (“ODEQ”), and the Washington Department of Ecology (“WDOE”) hereby jointly request that the U.S. Environmental Protection Agency (“EPA”) place the Bradford Island facility, Multnomah County, Oregon, on the National Priorities List (“NPL”) pursuant to Section 105(a)(8)(B) of the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), 42 U.S.C. § 9605(a)(8)(B), and the relevant provisions of the National Contingency Plan (“NCP”), 40 CFR Part 300. The requesting agencies are natural resource trustees for the Bradford Island facility and are currently participating in oversight of lead agency response actions by the U.S. Army Corps of Engineers, Portland District (“Corps”).

The NCP at § 300.425(c)(1) authorizes EPA to include a site on the NPL if it scores sufficiently high on the Hazard Ranking System (“HRS”), which EPA promulgated as Appendix A of the NCP. The HRS evaluates the relative potential of uncontrolled hazardous substances, pollutants or contaminants to pose a threat to human health or the environment via four pathways: ground water, surface water, soil exposure and subsurface intrusion, and air. As a matter of EPA policy, those sites that score 28.50 or greater on the HRS are eligible for listing. In 2008, using information available at the time, EPA scored the Bradford Island site below 28.50 and issued a determination of No Further Remedial Action Planned (NFRAP). However, since that time significant new information on site conditions has emerged. Taking this information into account, it is our understanding that the Bradford Island site HRS score would exceed 28.50.

## **Facility History**

The Bradford Island facility (“facility”) is located on the Columbia River at River Mile (RM) 146.1, approximately 40 miles east of Portland, Oregon. Construction of the adjacent Bonneville Dam started in the 1930s. From approximately 1942 until 1982, the Corps and its contractors disposed of hazardous waste in a landfill at the facility. On one or more occasions during that time, the Corps and its contractors also disposed of electrical equipment debris and light bulbs into the Columbia River and onto a steep river bank that ultimately eroded into the River. Until 1988, the Corps also conducted sandblasting and equipment painting operations, and until the 1970s used a pistol range for small arms target practice. Sand blast grit was disposed of on the land surface and remains uncontained in areas. Other historical operations include electrical transformer disassembly and aboveground storage of hazardous waste.

## **Site Contaminants**

The Corps’ past practices have resulted in releases of hazardous substances into the soil, groundwater, and surface water in the Columbia River. Contaminants of Concern (“COCs”) include petroleum hydrocarbons, polycyclic aromatic hydrocarbons (“PAHs”), metals (e.g., lead and mercury), polychlorinated biphenyls (“PCBs”), pesticides/herbicides, and volatile organic compounds (“VOCs”).

## **Impacts on Surrounding Environment**

Significant impacts to sediment and the fractured bedrock river-bottom in the vicinity of the Bradford Island facility have occurred. The full nature and extent of in-river contamination is undefined. Resident fish such as smallmouth bass caught near Bradford Island contain extremely high concentrations of PCBs as well as other COCs. Despite multiple removal actions, sediment, clam and fish tissue sampling in 2011 indicate that COC concentrations have not declined and have actually increased in fish. Impacted surface soils in certain parts of the facility such as the Sandblast and Bulb Slope Areas remain uncontained (e.g., sandblast grit triggering RCRA hazardous waste criteria). Stormwater discharge from contaminated areas of Bradford Island have not been regulated or monitored pursuant to a permit issued under the National Permit Discharge Elimination System (NPDES). Recent (2018–2019) stormwater and catchbasin sampling results from the Sandblast Area indicate that stormwater continues to be an ongoing source of contamination to the river. Porewater and near-bottom surface water sampling was conducted in 2018 in order to identify source areas, but results were inconclusive. Additional stormwater and near-bottom surface water sampling is planned for 2019-2020.

## **Response Activities**

Pursuant to Executive Order 12580, the Corps has been the lead agency for the Bradford Island facility since 1997, when the Portland District began conducting investigations at the facility in coordination with ODEQ under ODEQ’s Voluntary Cleanup Program. The facility is currently divided into two operable units (“OUs”) for upland and river remedial actions under CERCLA Project NWP-13-0002. Response actions taken by the Corps include: removal actions in the

Columbia River in 2000, 2002, and 2007; Remedial Investigation reports for both OUs in 2012; and a Feasibility Study for the Upland OU in 2017. Through a Technical Advisory Group (“TAG”), Yakama, ODEQ, and WDOE have been and are currently participating in the Corps’ actions leading to an expected draft Feasibility Study (“FS”) for the River OU. The U.S. Fish and Wildlife Service has also been a participant in this process. There is disagreement between the Corps and several of the TAG agencies regarding the Corps’ NFRAP determinations made in the 2017 Upland OU FS for the Sandblast and Bulb Slope Areas; the Corps has decided to address these concerns through Bonneville Dam’s operation and maintenance as “Source Control Actions.” Planning documentation for these Source Control Actions has not been finalized.

The President’s Budget for Fiscal Year 2020 did not request that Congress appropriate any funds for the Portland District’s lead agency activities at the Bradford Island facility. It is not yet clear if the 2021 budget prioritizes funding for this important project. While we rely on Congress to appropriate funding, lack of support from the administration puts at risk the prospect that the RI/FS process, that is required in the NCP, will reach a final Record of Decision any time in the near future.

In addition, TAG and other meetings with Portland District management have revealed a number of ongoing, serious concerns with the Corps’ approach as the lead agency. Among these are: failure to sufficiently determine the nature and extent of site contamination; inadequate risk assessments that do not consider long term tribal residential uses or high fish consumption rates; failure to use or recognize state regulatory cleanup standards as applicable, relevant, and appropriate requirements (“ARARs”); inadequate communication with the participating TAG members; and failure to incorporate some TAG technical comments into the RI/FS documents. These problems have been repeatedly brought to the attention of the Corps’ Portland District staff, managers, and attorneys, including through regularly scheduled high-level manager meetings, without adequate resolution.

### **Need for NPL Listing**

The NPL, promulgated as Appendix B of the NCP, is currently amended annually through a formal agency rulemaking as required by 40 CFR § 300.425(c)(5). Data collected in 2011 indicate that PCB levels in fish tissue, including sculpin and smallmouth bass, remain significantly elevated, and in some samples exceeded levels observed prior to the 2007 removal action and the previous HRS ranking.

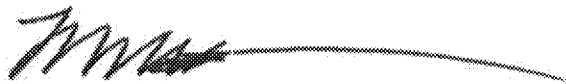
In 2013, both the Oregon Health Authority and the Washington Department of Health issued fish consumption advisories for resident fish species in the Columbia River above Bonneville Dam due to elevated levels of mercury and PCBs. Fetuses in utero, nursing babies and small children are most vulnerable to the health effects of these COCs. Fetuses and babies exposed to high levels of mercury and PCBs can suffer life-long learning and behavior problems. Fishers have been warned not to give resident fish caught from the middle Columbia River to others unless the recipients are aware of where the fish were caught and understand the recommendations in the state fish advisories. The cultural impacts of contaminated resident species on Indian treaty fishing in the Columbia River are enormous because enrolled tribal members traditionally do not waste by-catch caught in gill nets. By tribal regulation, enrolled Yakama members are currently

prohibited from building traditional fishing platforms in the area of the Bradford Island facility, which is a usual and accustomed treaty fishing area.

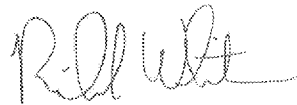
Given the current sampling data, continuing fish advisories, and the potential exposure to sensitive populations, it is clear that the COCs at the Bradford Island facility continue to pose a serious threat to human health and the environment requiring thorough investigation and expedited remediation. A new HRS ranking and listing on the NPL is therefore not only warranted but necessary given the continued concerns about the performance of the lead agency, as well as the potential elimination of funding for the existing CERCLA cleanup project.

We therefore request that EPA initiate a rulemaking for a proposed rule adding Bradford Island facility to the National Priorities List.

Sincerely,



Phil Rigdon  
Superintendent, Department of Natural Resources  
Yakama Nation



Richard Whitman  
Director  
Oregon Department of Environmental Quality



Maia Bellon  
Director  
Washington Department of Ecology

cc: Rose Longoria, Yakama Nation  
Tom Zeilman, Yakama Nation  
Rebecca Lawson, WA DOE  
John Level, WA AGO  
Paul Seidel, ODEQ  
Gary Vrooman, ODOJ  
Ken Marcy, U.S. EPA  
Col. Aaron L. Dorf, U.S. ACE  
Jeffrey Matson, U.S. ACE



Confederated Tribes and Bands  
of the Yakama Nation

Established by the  
Treaty of June 9, 1855

April 3, 2018

Kevin Brice  
U.S. Army Corps of Engineers  
Portland District  
333 S.W. 1st Avenue  
P.O. Box 2946  
Portland, OR 97208-2946

**RE: Bradford Island CERCLA Project, NWP-13-0002 – Upland Operable Unit**

Dear Kevin:

This letter is to follow up our telephonic meeting of the managers for the Bradford Island CERCLA Project on March 15th regarding the draft proposal by the Army Corps of Engineers Portland District for remediation of the Upland Operable Unit (OU). My project staff and I appreciate your agency's willingness to "think outside the box" for the proper path to achieve the best alternative(s) that will protect human health and the environment in accordance with future Yakama treaty uses. I want to reiterate that the Yakama Nation has clear expectations that the cleanup of Bradford Island will achieve clean, healthy fish, and unrestricted access to traditional tribal hunting and fishing areas.

From the Corps' written proposal and phone discussions, we understand that, for the Upland OU, the agency is proposing a series of actions intended to remove unsafe levels of contaminant exposure to tribal members and natural resources, and to also eliminate transport of contaminants to the Columbia River. Our understanding of the Corps' commitment has the following elements:

1. Removal of all waste material and contaminated soils from the Bulb Slope OU;
2. Removal of all waste material and contaminated soils from the Landfill OU;
3. Removal of all contaminated soils from the Pistol Range OU;
4. Preparation of an amended Feasibility Study (FS) to add remediation of the Sandblast Area (habitat) waste site, with appropriate and timely consultation and review by the Technical Advisory Group (TAG) specific to risk assessment and the final selection of any remedies;
5. Further discussion with the TAG on additional source control needs within the Sandblast Area (industrial) waste site outside of the FS;
6. Additional monitoring within the Sandblast Area waste site. This will include, at a minimum, testing of stormwater and catch basin solids; and
7. Adequate and appropriate verification of the success of all cleanup actions in achieving the cleanup goals.

Yakama Nation Fisheries supports these remedial actions (particularly for the Bulb Slope, Landfill, and Pistol Range waste sites) as being consistent with our long-term cleanup goals, and we are willing to continue to attempt to reach full agreement on remediation of the Sandblast Area site. For the Sandblast Area, we expect that a final remedial action will be completed with cleanup levels protective of all likely receptors, and consistent with any potential future changes in property configuration, ownership or land use.

Post Office Box 151, Fort Road, Toppenish, WA 98948 (509) 865-5121

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To be clear, we are supportive of the overall Corps' upland proposal conceptually, but we also seek a better understanding of the exact nature and extent of these actions, including the relevant regulatory framework(s) under which they will be taken. As a first step, we expect to see the schedule(s)/project timelines for the remedial design and cleanup work, in order to effectively understand the appropriate points for review and discussion. We further expect to be apprised, as soon as possible, of the statutory authority for any source control actions; the cleanup criteria (e.g., removal of all non-native soils or chemical concentration-based cleanup criteria); and the proposed cleanup methods. As part of this process, Yakama Nation Fisheries also expects that the Corps will demonstrate the effectiveness of their actions upon completion of the remedies in eliminating upland exposures to contaminants, as well as possible continued hazardous releases to the Columbia River.

As we have already discussed in recent months, continued support by the Yakama Nation for these actions is dependent upon the Corps' responsiveness in communicating its activities and proposed actions in an open and timely manner. This includes allowing adequate time and venues for review, comment, and discussion with my staff and other TAG members. We are requesting upfront discussion of milestone documents prior to draft development (e.g., sampling plans, amended FS, Proposed Plan, Record of Decision) and discussion of the Corps' Responses To Comments prior to document/decision finalization. In addition, it is very important to maintain momentum on the River OU cleanup process in parallel with ongoing Upland OU work.

I would also like to make clear that in agreeing to move forward with this proposal and agreeing not to ask for overall revisions to the current RI/FS for the Upland OU, we are not waiving any right to seek judicial review of the Final Record of Decision if the Corps fails to meet the expectations embodied in its proposal.

Please feel free to contact me with any questions or concerns at (509) 949-4129.

Sincerely,

  
Paul Ward  
Program Manager  
Yakama Nation Fisheries

cc: Richard Whitman, Oregon Department of Environmental Quality  
Leah Feldon, Oregon Department of Environmental Quality  
Paul Seidel, Oregon Department of Environmental Quality  
Jim Pendowski, Washington Department of Ecology  
Rebecca Lawson, Washington Department of Ecology  
Ted Buerger, US Fish and Wildlife Service  
Sheryl Bilbrey, EPA  
Cami Grandinetti, EPA



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, PORTLAND DISTRICT  
PO BOX 2946  
PORTLAND OR 97208-2946  
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OREGON OPERATIONS OFFICE  
EPA REGION 10

Planning, Programs and Project Management Division

Ms. Lori Cohen  
Associate Director  
Office of Environmental Cleanup  
U.S. Environmental Protection Agency, Region X  
1200 6<sup>th</sup> Avenue  
Seattle, Washington 98101

Dear Ms. Cohen:

This is in response to your letter, dated January 31, 2006, concerning the Bradford Island Cleanup. In your letter, you state that the U.S. Environmental Protection Agency (EPA) is interested in promoting watershed health and, as such, is interested in the progress being made at Bradford Island. You further express your desire to see the U.S. Army Corps of Engineers (Corps) remediate the site as expeditiously as possible to prevent further loading of contaminants in the basin.

Our agency agrees that the health of the Columbia River watershed is extremely important and shares your desire to remediate the site as quickly as possible. The Corps is aggressively working toward completing an in-water removal of impacted sediments as early as next winter. I would like to take this opportunity to thank you for your agency's support over the last year. In fact, it was your willingness to support the Corps decision to proceed with this Comprehensive Environmental Response Compensation and Liability Act (CERCLA) action under Executive Order 12580 that cleared many procedural hurdles which could have led to a much delayed remediation response. Also, your decision to delegate EPA oversight responsibilities to Oregon Department of Environmental Quality (ODEQ), who we have been working with for several years on this project, has also had a very positive impact on our schedule. ODEQ personnel are already very familiar with the site and therefore, delays related to bringing new personnel up to speed were avoided.

In your letter, you express your interest in our efforts to coordinate with external parties, including states, tribes and community groups. I am pleased to report that we have made good progress along these lines. We have constituted a Technical Advisory Group of stakeholders and trustee agencies, hired a public affairs firm specializing in public involvement processes and have recently conducted our first public meeting. The one area of concern for us is that the Corps is not a granting agency. Therefore, we can not provide monies for public groups or tribes as the EPA does on similar sites. If EPA has a granting program in place that could be utilized to encourage greater tribal and local participation, we would appreciate the opportunity to speak with you about it.

Your letter also referenced the ODEQ action item list. Many of these items have already been completed. The remainder are in various stages of planning or execution.

Please contact Mark Dasso, the Project Manager for this remediation effort, at (503) 808-4728, if you have any questions or concerns.

Sincerely,



DAVIS G. MORIUCHI  
Deputy District Engineer  
for Project Management

Copy Furnished:

Bob Schwartz, ODEQ

✓ Mary Lou Socia, USEPA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue  
Seattle, WA 98101

January 31, 2006

Reply To  
Attn Of: ECL-115

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FEB 03 2006

OREGON OPERATIONS OFFICE  
EPA-REGION 10

Thomas E. O'Donovan, Colonel, EN  
U.S. Army Corps of Engineers  
Portland District  
P.O. Box 2946  
Portland, OR 97208-2946

RE Bradford Island Cleanup

Dear Colonel O'Donovan:

Recovery of the Columbia River Basin is an EPA Region 10 priority with a goal to utilize EPA's authority and resources in concert with the authorities and resources of other interested parties (tribes, states, local and federal agencies) in promoting watershed health to protect human health and aid in the recovery of Pacific salmon. In its effort to achieve this goal, EPA is pursuing activities along a number of paths to protect and preserve biological resources and habitat, and reduce loading of toxic contaminants and conventional pollutants. In this vein, EPA remains very interested in the progress being made at Bradford Island to contain and remediate upland sources and, in particular, to assess and remediate PCB contamination in sediments resulting from previous off-shore dumping of PCB containing equipment.

I am writing this letter in response to a presentation provided by your Bradford Island staff for personnel from the U.S. Environmental Protection Agency (EPA) Region 10 office on November 29, 2005, regarding the status of site assessment and cleanup activities. U.S. Army Corps of Engineers (Corps) presenters - project manager Jeff Hurt, Michael Gross, and John Wakeman (Seattle District) - provided a clear and concise overview of the site history, investigation results, coordination with the Oregon Department of Environmental Quality (DEQ) and Tribes, and planned cleanup activities. The EPA Regional office found this presentation very useful and informative.

On behalf of EPA, I would like to encourage the Corps in its efforts to remediate the Bradford Island site as expeditiously as possible to prevent further loading of contaminants to the Basin, and to reduce the exposure of Pacific salmon, and other species, to bioaccumulating chemicals in surface water and sediments. EPA recognizes the complexity and extent of the site, but would support a more expedited approach, such as the use of time-critical removal actions, to address some of the more straight-forward remediation of upland source areas. For example, based on the information provided in the November 29 briefing, there appears to be a limited volume of lead-contaminated soil and lead bullets. It may be appropriate to excavate this area based on existing knowledge rather than wait for a Remedial Investigation/Field Study (RI/FS), or an Engineering Evaluation/Cost Analysis (EE/CA) to be completed. The sand blast material in the upland area may also be a candidate for similar action.

In particular, EPA would support the expedited removal of sediment hot spots within the next year to reduce environmental exposure to the highest levels of PCBs in sediments. To this end, EPA would be happy to consult with the Corps' Bradford Island team to provide input towards achieving an expedited removal action for these areas of contamination.

In addition to expediting cleanup at the site, EPA also remains interested in how the Corps' Bradford Island team continues to coordinate with external parties - including the states, tribes and community groups - through the Technical Advisory Group. Working with the states, tribes and impacted communities is critical to the successful implementation of appropriate cleanup actions at the site. EPA would like to remain aware of these efforts, and encourages the Corps to continue to work regularly and proactively with its external partners. Attached is a list of key action items submitted by DEQ to the Corps on November 17, 2005. Upon review of these items, EPA would like to lend its full support to the implementation of these recommendations, and encourages the Corps to work closely with DEQ, as the lead government agency for the site, to implement these items as quickly as possible.

I would like to extend my thanks to you and your staff for keeping EPA informed as to the progress at the Bradford Island site. We look forward to the expedited cleanup of upland areas through the increased use of time-critical removal actions. Based on our discussions with Oregon DEQ, we agree that removal of river sediment with the highest PCB levels should be the top priority. We therefore strongly encourage the Corps to conduct this work within the next year. We also encourage the Corps to continue in its efforts to coordinate effectively with external partners, particularly DEQ and the Tribes, and to implement DEQ's November 17 action item list.

Thank you for your consideration of the recommendations in this letter. We look forward to working with the Bradford Island team in the new year.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori Cohen", with a stylized flourish at the end.

Lori Cohen,  
Associate Director  
Office of Environmental Cleanup

Attachment

Cc Bob Schwarz, DEQ Project Manager  
Keith Johnson, DEQ  
Michael Gross, USACE Portland District  
Jeff Hurt, USACE Project Manager, Portland District  
John Wakeman, USACE Seattle District  
Mary Lou Soscia, USEPA

